

# **Bay Delta Conservation Plan (BDCP)**

## **Steering Committee Meeting**

June 13, 2008, 9:00 a.m. to 11:30 a.m.

Resources Agency Bldg., Room 1311

### **Meeting Notes**

#### **Associated documents/handouts:**

- Agenda
- Delta Town Halls notice
- Proposed Tiered Science Process
- Memorandum from Wayne Spencer: Proposal for obtaining independent science input concerning non-aquatic species and communities that may be addressed by the BDCP
- Overview of the BDCP development process in 2008
- Letter from the Ad Hoc Group to the State Water Resources Control Board

#### **Action Items and Key Decisions**

- The Steering Committee (SC) Membership Work Group (WG) is requested to reconvene to consider the North Delta Water Authority's request for membership to the BDCP Steering Committee.
- The table of contents for Conservation Strategy chapter will be placed on the BDCP website.
- Draft Approach to DRERIP Analyses process was approved by the Steering Committee

#### **Updates**

- The May 30 Steering Committee was canceled due to scheduling conflicts, including the Department of Fish and Game's meeting on long fin smelt. SC will meet every other week beginning from June 13.
- Last week the governor proclaimed that the State is in a drought and yesterday declared emergency status for several counties. Both of these releases as well as the executive order can be found online. Jerry Johns said that OES has been asked that their services be made available to the state. In addition, requests were made to DWR to allow for the pumping of water into the Aqueduct for Westlands area to facilitate the delivery of additional water. DWR will file a joint point of diversion petition to the SWRCB to facilitate water transfers. The governor has asked the board to expedite action on this petition as well as other petitions related to water transfers. The executive order regarding the drought allows counties to ask for federal emergency funds for drought related activities without having to declare an emergency. It also raises the issue of conservation efforts this year and next year.
- Jason Peltier reported that CVP export allocations have been cut. There is currently a 200,000 acre foot deficiency in the San Luis Reservoir. As a result, they have begun planning for and implementing a rationing program. Historically the SWP provided cushioning in such situations; however, due to current conditions, that will not be an option this year. Farmers have been informed they will receive unprecedented allocation cuts of 30% during June-August.

- Kenny Watkins described the public's awareness that food prices will be going up, but needed to recognize the connection to the drought and the consequences of the water shortage.
- Karen Scarborough reporting: SWRCB will release today their draft strategic workplan; it is about 100 pages long and includes language about the board's intention to work with BDCP. The draft is being circulated for public comment. The Board will update it on July 2, with a hearing on July 16.
- Delta Vision Task Force will be releasing their draft strategic plan next week. With a final version to be issued in September or October. Leo Winternitz reported that the Delta Vision draft Strategic Plan coming out next week is not a Task Force report, but is rather a staff plan report to Task Force.
- Jason Peltier requests that the SWRCB provide a briefing on their report for the SC at next meeting.
- Karen Scarborough reporting: The Steering Committee has received a letter from the North Delta Water Authority, requesting membership. Karen requests that the Membership WG plan to reassemble to address the NDWA's request for membership.
- Karen Scarborough asked the group to write more clearly on sign up sheet, especially the email addresses to help facilitate the creation of an Interested Observers email distribution list.
- Jason Peltier reporting: The south/central delta all day tour has been canceled. Looking now at a three hour boat tour from 9-12 pm of Cache Slough and surrounding area. Jason asked for show of hands as to who will participate. The boat handles 30 comfortably. By COB Monday there will be a decision for go or no go.
- John Engbring reporting on the update on OCAP activity. They have received a Biological Assessment from the Bureau of Reclamation on May 28. The Fish and Wildlife Service has 30 days to review and comment on the adequacy of the information. They are in the middle of that process and have identified and communicated to the Bureau additional information that needs to be included in the BA. Much of their staff is focused on this effort, making it a challenge to also focus on BDCP. Judge Wanger ruled that FWS has until September 15 to complete the biological opinion.
- Jason Peltier reporting: Judge Wanger is in his 3<sup>rd</sup> day of hearings on the salmon issue.
- Jason Peltier encourages everyone to attend the CALFED Science Conference in October. He suggests the SC provide an overview of BDCP at the conference. Karen Scarborough asks Leo Winternitz to set up and coordinate this.
- Campbell Ingram asked about when comments from collegial review of DRERIP would be available. The comments were sent back directly to DRERIP. Carl Wilcox said when the comments are compiled will be distributed.
- Jason Peltier asked about putting together a half day workshop on adaptive management for SC. Paul Cylinder said this is why the Adaptive Management WG needs to start in July. Karen Scarborough will work on it

### **Overview of the BDCP Conservation Plan Development Process in 2008**

Karen Scarborough presented handout Overview of the BDCP Conservation Plan Development Process in 2008. This chart shows the many activities ongoing for BDCP and how they come together. The summer

shows much of the effort focused on the working groups and technical teams, with the focus shifting to the Steering Committee in the fall. This process is intended to result in the completion of a proposed BDCP Conservation Strategy in December.

Anthony Saracino asked if there was a table of contents for Conservation Strategy chapter. This will be placed on the BDCP website.

Kim Delfino asked where Biological Goals and Objectives WG fits in this process. Paul Cylinder explained that the graphic is a summary that focuses on the three main groups of the conservation measures under development and that it is not intended to be a complete picture of the process. SAIC is working on an in depth six month schedule for the next SC meeting that will show a more complete picture. Kim Delfino asks that a qualifying note be added that this overview does not represent a complete depiction of the BDCP schedule and tasks.

Jason Peltier asked that the chart be squeezed up to add a NEPA/CEQA timeline added at the bottom. Kim Delfino wanted to know where adaptive management is? She sees a conflict in schedule with July and August versus fall? Jerry Johns says DWR has a lot of monitoring data and recommends their data be taken into account. He wants to meet with SAIC to overview all the monitoring efforts occurring in the Delta. Paul Cylinder indicated that the working groups and technical teams are beginning to consider adaptive management along with their conservation strategies.

Karen Scarborough asked SC members to think about potential members for the Adaptive Management Working Group as it will need to get started soon.

### **Public Outreach Liaisons**

Karen Scarborough reported on the forming of an outreach liaisons group to address community issues and concerns. Now that the public is more aware of BDCP, the outreach endeavor needs to be implemented in coordination at a Resource Agency level and with the Governor's Office, as do BDCP and other Delta planning efforts. Keith Coolidge (from CBDA outreach) was introduced and will assist in the communications strategy. Karen Scarborough presented the intention to convene "Delta Town Hall" meetings to engage the local public. Keith Coolidge reported that these meetings will allow for ongoing dialog with folks living/working/playing in Delta and to requests by some segments of the public for additional information regarding BDCP. Joe Grindstaff is leading this effort.

Karla Nemeth and Carl Wilcox (co-chairs) presenting. Karla reported that the working group needs more people. Currently she has a couple of names Jason Peltier and Tom Philp from Metropolitan Water District. Karen Scarborough said they need representatives from the NGOs. Karla Nemeth discussed the near term deliverables. There is a new PowerPoint presentation that has less jargon and has more detail on BDCP. They would like assistance and feedback from the SC as they finalize the presentation.

### **Science Liaisons**

Proposed Tiered Science Process (See also Associated Handouts/Documents). Kim Delfino explained that the Science Liaisons have met and discussed the particulars of the document. The liaisons reviewed and concurred with it. The document articulates how BDCP will continue to integrate independent science input. Tier 1 will involve a rapid question and answer approach; Tier 2 will involve an abbreviated version of a full-scale independent science review workshop; and Tier 3 will require a full-scale workshop that will result in a formal report. Laura King Moon noted that questions that the Habitat TT may have should be forwarded to Wayne Spencer, who is acting as a facilitator. Ara Azhderian is unclear about the "clearinghouse" aspect of the process - that is, how to avoid duplication of questions and issues. Will Stelle explained that Wayne Spencer will provide that function. Kim Delfino stated that

for Tier 1 the Science Liaisons will not vet questions, but will be engaged with Tier 2-3. Tier 1 will be handled by Wayne Spencer and SAIC. Ara Azhderian wants adequate documentation of this process. Paul Cylinder reminded the SC that SAIC is involved in all of the working groups and technical teams and therefore will be aware what questions are being generated. SAIC and Wayne Spencer will interface over this process.

Non-Aquatic Species Tier 2 Workshop: Kim Delfino reported that Wayne Spencer is putting together a list of disciplines and scientists that will need to be assembled for the Non-Aquatic Species Workshop. Paul Cylinder distributed a list of additional covered species beyond the nine fish species. The SC is considering 28 species occurring in other habitats, including wetland, riparian, and terrestrial habitats that may be affected by BDCP activities. This list will be given to the science advisors for input, using the Tier 2 approach. Kim Delfino said the evaluation should also include habitat and ecosystems, not just individual species.

Karen Scarborough presented an updated version of the Draft Approach to DRERIP Analyses to the SC.

### **Other Stressors and Water Quality Working Groups**

Brent Walthall (co-chair) reporting: The working group is almost finished with presentations regarding other stressors. The WG has one more presentation scheduled for next week. They will then focus on developing conservation actions. The next two steps will be to start looking at what criteria to use to evaluate potential actions and which conservation actions should be recommended to address stressors. The WG meets every week. Jason Peltier asked about ammonia. The WG has asked the State Water Resources Control Board to assist on this issue.

### **Habitat Restoration Program Technical Team**

Dave Harlow (co-chair) presenting. The TT is looking at specific opportunities for restoration. The team is focusing on conservation measures, working with HOTT closely, looking at risks and uncertainties associated with restoration activities. They are working toward developing quantifiable goals and objectives, without identifying quantities. The team meets weekly, but the next Habitat meeting has been canceled to allow HOTT to catch up.

### **Ad Hoc Group Letter to the State Water Resources Control Board**

Richard Roos-Collins reported the Letter to SWRCB was sent at the end of May. He met with the State Water Board Chair Tam Dudoc. She has seen, read and confirmed receipt of the letter. They have given it serious consideration. Richard says they are counting on BDCP, but are also asking the question of what happens if BDCP fails – these are Richard's words, not hers.

There were questions about the differences between Delta Vision's proposal for governance versus those that will be proposed for BDCP. Karen Scarborough reported that Richard Roos-Collins and Roger Patterson met with John Kirlin. Leo Winternitz says that the DV draft is coming out next week. Richard Roos-Collins says DV recommendations may provide a starting point for BDCP governance. If differences arise, efforts will be made to resolve these issues with DV.

Richard asked Karen Scarborough about the necessity of reconvening ad hoc group once the draft strategic plan is released. Karen indicated it may need to get more formal than through an ad hoc group.

### **Implementing Structure/Governance Working Group**

Richard Roos-Collins reported they have received excellent proposals from the National Heritage Institute, State Water Contractors and the Environmental Defense Fund as to possible approaches to governance. They will consider recommendations for governance from the Delta Vision staff when they are released. The Governance WG is moving toward adopting a detailed workplan.

## **Conveyance Working Group**

Jerry Johns (co-chair) presenting. The group is working on in-Delta facilities both near term and long term and two 2-barrier alternatives. They had a good presentation from the Farm Bureau on a broader suite of actions. Fish Facilities TT is working very well; they are looking various options for locating intakes/screens and for intake/screen design (including on-bank and in-river facilities).

Karen Scarborough described the new web conferencing option, explaining that the SC is relying on the honor system, with the expectation that people will not download or copy presentations.

## **HOTT presentation**

Armin Munevar's presentation gave a summary of what scenarios the HOTT has reviewed.

Karen Scarborough stressed the need for attendance at WGs and TTs.

## **Public Comments**

Melinda Terry mentioned she received an invitation for a June 24 lower Yolo Bypass tour. Carl Wilcox said the tour is being conducted by the Lower Yolo Planning Forum.

Oshe Meserve (representing the city of Antioch). City of Antioch has senior water rights in the Delta. The City also relies on CCWD for a portion of their water supply. When water quality standards are not met, they have to purchase water at a higher cost. As modeling and all the other parts of this process progress they expect that Antioch's ability to divert water will be assessed as one of the factors in this process, considering their senior water rights position. To the extent that the whole Delta is going to change, it is her job to see that the changes are not to the detriment to Antioch. Antioch believes that through-Delta flows are going to better protect their water rights, endangered species and other values within the Delta. She wants to encourage the incorporation of feedback from the local communities into the outreach workshops mentioned earlier in the meeting.

## **Attendees**

### *Management and representatives*

Karen Scarborough (Chair, The Resources Agency)  
Marc Ebbin (The Resources Agency/DWR)  
Cindy Darling (The Resources Agency)  
Laura King Moon (State Water Contractors)  
Leo Winternitz (California Bay-Delta Authority)  
Jerry Johns (DWR)  
Ann Lubas-Williams (USBR)  
Brent Walthall (Kern County Water District)  
Ara Azhderian (SLDMWD)  
Jason Peltier (Westlands)  
Greg Zlotnick (SCVWD)  
Karla Nemeth (Zone 7)  
Richard Roos-Collins (American Rivers/Natural Heritage Institute)  
Kim Delfino (Defenders of Wildlife)  
Greg Thomas (Natural Heritage Institute)  
Anthony Saracino (The Natural Conservancy)  
Campbell Ingram (The Natural Conservancy)  
Kenny Watkins (California Farm Bureau Federation)  
Steve Thompson (USFWS)  
Carl Wilcox (DFG)

John Engbring (USFWS)  
Ted Meyers (NMFS)  
Paul Cylinder (SAIC)

*By phone*

Ron Kino (Mirant)  
Tracy Ligon (Santa Clara Valley Water District)  
Greg Gartrell (Contra Costa Water District)

*Other Attendees*

(See sign in sheet)